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Reply to: Stamford Office

6 December 2017

**VIA ECF**

Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: MPI Tech A/S v. International Business Machines Corporation  
Docket No. 15-cv-4891-LGS-DCF

Dear Judge Schofield:

I write on behalf of Plaintiff MPI Tech, Defendant IBM, and former counsel for MPI, Marc Goldstein, Esq., all concerned parties in this action ("Parties"), with regard to Your Honor's Order dated October 12, 2017 (D.E. 294) ("Order"), in which the Court extended certain filing deadlines (the "Deadlines") to November 30, 2017, and December 13, 2017, and subsequently extended those Deadlines to December 7 and 21, 2017 (D.E. 296).

We are pleased to report that the parties have agreed on conditions for the withdrawal with prejudice of the IBM motion at D.E. 258, but the date for consummation of those conditions is January 8, 2018. We therefore request the Court's indulgence in permitting the current Deadlines, as mentioned above, to be extended to January 10 and 17, 2018. By then, we expect to provide a letter to the Court requesting that the Court modify its orders at D.E. 291 to reflect that the motion at D.E. 258 is withdrawn with prejudice and with each party bearing its own costs.

Pursuant to Your Honor's Individual Rules, I(B)(2), we provide the following information: (1) the current Deadlines are December 7 and 13, 2017, and the extensions sought are January 10 and 17, 2018; (2) this is the fifth request for extension of these Deadlines; (3) the prior requests for extension have been granted by the Court; and (4) all Parties consent to the relief requested. The extension of the Deadlines requested herein will not affect any other dates or deadlines in this matter.

We thank the Court for its patience as we seek to resolve this matter without Court intervention. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew C. Wagner", with a long horizontal flourish extending to the right.

Matthew C. Wagner

CC: Jonathan D. Cogan, Esq., counsel for IBM ([Jonathan.Cogan@kobrekim.com](mailto:Jonathan.Cogan@kobrekim.com))  
Marc Goldstein, Esq. ([goldstein@lexmarc.us](mailto:goldstein@lexmarc.us))